

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

IN THE MATTER OF:	)	No. B-06-81622 C-13D
Thomas E. Stroud	)	
Gladys J. Stroud	)	
	)	
Debtor	)	

**ORDER GRANTING DEBTOR'S MOTION TO  
USE CASH COLLATERAL**

On May 24, 2011, a hearing was held on the Debtors' Motion to Use Cash Collateral to make repairs to their 2002 Ford Taurus ("the automobile"). Drive Financial Services ("Drive") filed a claim in this case on the automobile in the amount of \$6,973.55 and said claim has been paid in full with interest through the Debtor's plan. The Debtors informed the Trustee that the automobile had been involved in a collision and their insurance carrier, Nationwide Insurance, offered proceeds of \$3,595.00 for damages to the automobile as a result of the collision. The Debtors request permission from the Court to retain the insurance proceeds for the purpose of making the necessary repairs to the automobile. At the hearing, Koury Hicks, Esq. appeared on behalf of the Debtors; Richard M. Hutson II, Standing Trustee appeared; and, no other party appeared or objected to the Debtors' Motion. The Court, after considering the Motion and having heard and considered the statements of counsel and the Trustee, finds that the Debtors' Motion should be granted; therefore, it is ORDERED:

1. The Debtors' Motion to Use Cash Collateral and retain insurance proceeds provided by the insurance carrier on their automobile in the amount of \$3,595.00 for the purpose of making the necessary repairs to the automobile as a result of the collision is granted.

2. John T. Orcutt, Esq. is allowed the presumptive fee of \$250.00 for services rendered in the filing of this Motion which shall be paid through the Debtor's plan.

**PARTIES IN INTEREST**

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